

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

LEONARD A. SLAVEN,) Case No.: 1:20-cv-00606-AWI-JLT (HC)
)
Petitioner,) ORDER CONSTRUING MOTION TO DISMISS IN
) PART AS MOTION TO AMEND TO NAME
v.) PROPER RESPONDENT
)
C. PFEIFFER, Warden,) ORDER GRANTING MOTION TO AMEND AND
) DIRECTING CLERK OF COURT TO CHANGE
Respondent.) NAME OF RESPONDENT
)

On April 2, 2021, Respondent filed a motion to dismiss, in which Respondent notes that Patrick Covello is the warden at Mule Creek State Prison where Petitioner is incarcerated and requests the Court substitute Patrick Covello as the Respondent. (Doc. 25 at 1, n.1.) The Court will construe this as a motion to amend to name the proper respondent and grant the motion. Because it appears Patrick Covello is a proper party (Rule 2(a) of the Rules Governing § 2254 Cases; Ortiz-Sandoval v. Gomez, 81 F.3d 891, 894 (9th Cir. 1996); Stanley v. California Supreme Court, 21 F.3d 359, 360 (9th Cir. 1994)), the Clerk of Court is DIRECTED to change the name of the Respondent to Patrick Covello, Warden.

IT IS SO ORDERED.

Dated: April 25, 2021

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE